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### IN VACATION.

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There is reported an instance of a civil suit for damages, which is often recounted by a North Carolina judge, in which the complainant approached on the highway his neighbor's mule hitched to the fence. The wayfarer knew the mule and, as the road was narrow, approached cautiously. After a preliminary examination of the ground, he concluded that there was room to pass. The subsequent proceedings, however, precipitated the litigation. On the stand he recounted the circumstances in detail. "Did he kick you?" he was asked. The witness, though wronged, was an honest man: "I don't want to say that which I disremember," was his reply, "but the next thing I knew they were a-washing of my head in the branch!"—The Daily (N. Car.) Observer.

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It is said that a distinguished member of the Massachusetts Bar was seen getting on the street car in Boston with a new law book under his arm. One of the party remarked to him: "Why, I had no idea that you bought new law books. I thought you knew all of the law." "Humph!" replied the distinguished barrister. "This is not a law book. This is the last volume of the Reports of the Decisions of the Supreme Court of Massachusetts."

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### BOOK REVIEWS.

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**The Encyclopedic Digest of Virginia and West Virginia Reports.**  
Volume V. The Michie Company, Charlottesville, Va., 1906.

"Whilst the value of a Digest depends much upon the Digester, a good digestion is necessary to thoroughly appreciate it," was said by a witty lawyer in an earlier day. "The bearings of that observation lays in the application of it," as the illustrious Bunsby remarked. One must learn how to use most Digests before they become of much value. For every man generally has some system of his own and looks for a law point under a head he has selected to suit his own mind and system; and if it happens, as it often does, that the mind and system of the Digester does not agree with his own, he misses his point and is duly indignant at a seeming omission. The editor and compilers of the Encyclopedic Digest seem to have had this difficulty in their minds when they begun their work. Each subject shows the treatment of more than one head and hand, and then a final selection is the result, with abundant cross references to put the mind of almost any man upon the track of every question. Volume 5, just issued, covering "Elections" to "Feigned Names," continues to bear testimony to the skill, ingenuity and care of the compilers and the thoroughness of the editing of this work. "Eminent Domain," "Evidence," "Executions," and "Executors and Administrators" are amongst the subjects digested in the present volume.

Two hundred and sixty-six pages are given to the last subject

alone, whilst none of the others are in any way neglected or limited in space. One stands almost aghast at the idea of searching for any one of the numerous ramifications of the law upon Personal Representatives as contained in the decisions of our courts there given. And yet these decisions are so well classified, so carefully arranged and grouped, that almost any given question is speedily found, and when found all that has been said upon it is concisely, yet thoroughly, given, or so referred to as to be speedily ascertained. The same can be said of the other leading subjects, whilst the legal points of lesser dignity are treated in the same generous way. The value of the work grows with each volume, it is needless to say, and each one shows an increase in the desire of the compilers, editor and publishers to give the best work that can be given. We are glad to have the information that the other volumes of the series will soon be issued, so that the entire work will be in the hands of subscribers about the 1st of April, 1907.

R. T. W. D., Jr.

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**American State Reports.** Volume 107. Bancroft-Whitney Company, San Francisco. 1906.

Undaunted by earthquake and fire, the loss of books, manuscripts and property, this undaunted house puts forth the one hundred and seventh volume of the invaluable State Reports. So well known and so widely circulated is this series, it looks like almost a work of supererogation to review each volume. The present one shows the unusual excellent selection of cases, and Mr. A. C. Freeman's annotations are in every way worthy of his past work. The notes upon Public Nuisances; upon the Waiver of Stipulations in Insurance Policies by Agents, etc.; upon Carriers of Passengers, Corporations, Wills, and Vendor and Purchaser, are complete, well arranged and written with the ability which is expected of the learned editor. These reports are no longer luxuries, but necessities.

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**Trial Tactics.** Transcript of a Series of Lectures Delivered in the Chicago Law School, by Andrew J. Hirschl, of the Chicago Bar. Author of "Combination of Corporations," and other books. Chicago, Ill. T. H. Flood & Co., Publishers. 1906. Cloth., \$2.50 net; postpaid, \$2.65.

Works of this character have heretofore been written almost exclusively by English authors. Harris's "Hints in Advocacy," the best one we recall, now out of print and addressed to English lawyers, whilst useful, always lacked an American outlook. Mr. Hirschl's book is therefore a pioneer, but blazes out a track in the wilderness which the young lawyer can follow with profit and the older one with pleasure. These lectures are entertaining to read, evincing a knowledge of advocacy evidently gained by long experience, and related so as to convey both by precept and example the best methods by which to prepare for and conduct the trial of a cause from start to finish. Of course the young practitioner must bring his knowledge of the pleading in his own state to bear upon the advice given. Then the advice as to demurring to a declaration given on page 46 would not only be misleading, but fatal in the jurisdiction of Virginia, though good and timely in Illinois. We can commend the book as alike useful and pleasant to read, and the generous type in which it is issued adds no little to the pleasure of its perusal.